

FISCAL NOTE
SB 3 – HB 4
FIRST EXTRAORDINARY SESSION

January 17, 2006

SUMMARY OF BILL: Increases from a Class C felony to a Class B felony the classification for bribery of a public servant and for a public servant accepting or agreeing to accept a bribe.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$82,200/Incarceration*

Assumptions:

- Three offenders each year will serve an additional 1.5 years (an increase from 0.9 years for a Class C felony to 2.4 years for a Class B felony). According to the Department of Correction, the average operating cost per inmate per day for calendar year 2006 is \$50.02. The cost per inmate at 2.4 years is \$43,847.53 (\$50.02 x 876.6 days). The cost per inmate at 0.9 years is \$16,442.82 (\$50.02 x 328.725 days). The additional cost from increasing the classification from Class C to Class B is \$27,407.71 per offender (\$43,847.53 - \$16,442.82). The total additional operating cost for three offenders per year is \$82,200 (\$27,407.71 x 3).
- According to the Administrative Office of the Courts, convictions have averaged three per year since FY 1995. In 2002, there were five; in 2003, there were six; in 2004, there were two; in 2005, there were three.
- According to the U. S. Census Bureau, population growth in Tennessee has been 1.09% per year for the past 10 years, yielding a projected compound population growth of 13.6% over the next ten years. No significant incarceration cost increase will occur due to population growth in this period.

* Tennessee Code Annotated, Section 9-4-210, requires that: *For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law.*

The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years, beginning with the year the additional sentence to be served impacts the correctional facilities population.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director